

REMARKS

Claims 1-26 are pending.

Claims 1-26 stand rejected under 35 U.S.C. §102(e) as being anticipated by Chen. Applicants respectfully traverse this art grounds of rejection.

By this Amendment, claim 1 now recites “transmitting, in response to said decoded watermark, said specific data related to said principal program to said one or more subscribers through a communications network.”

Chen discloses a system, method and product for information embedding using an ensemble of non-intersecting embedding generators. Chen does not disclose or suggest using a watermark as a trigger for transmitting specific data to a principal program or subscriber. Instead, it is apparent from Chen Figures 1, 2B and 9 that no action is dependent upon decoding of a watermark signal. Therefore, Chen does not disclose or suggest “transmitting, in response to said decoded watermark, said specific data related to said principal program to said one or more subscribers through a communications network” as recited in claim 1 or “transmitting, in response to said decoded watermark, said specific related data to said one or more subscribers over a communications network” as recited in claim 4.

In the Examiner’s art grounds of rejection of claims 3 and 4, the Examiner contends that Chen teaches the limitations of claims 3 and 4 in column 1, lines 34-38, column 8, line 67 through column 9, line 12. However,

these portions of Chen disclose the definition of a watermark and not the method of using a watermark as a trigger for transmitting specific data to one or more subscribers as recited in claims 1 and 4.

In view of the above, Applicants submit that claims 1 and 4 are not anticipated or rendered obvious to one skilled in the art by Chen. As such, claims 2 and 3 and 5-13 depended upon claims 1 and 4, respectively, are likewise allowable over the cited references at least for the reasons given above with respect to the independent claims. Applicants respectfully request that the Examiner withdraw this art grounds of rejection.

By this Amendment, limitations have been incorporated into claims 14 and 15. Claim 14 now reads "delivery means for delivering said specific data related to said principal program to a receiving device associated with said one or more subscribers in response to the decoded watermark." (Emphasis added). Claim 15 reads "delivery means for delivering said specific data to said principal program to a receiving device associated with one or more subscribers in response to the decoded watermark." (Emphasis added). Chen does not discuss or disclose the claims as amended in view of the arguments above for claims 1 and 4.

Therefore, Applicants respectfully submit that claims 14 and 15 are not anticipated or rendered obvious to one skilled in the art by Chen for similar reasons discussed above with respect to claims 1 and 4. As such, the

dependent claims 16-26 are likewise allowable over the cited references at least for the reasons given above with respect to the independent claims. Applicants respectfully request that the Examiner withdraw this art grounds of rejection.

Reconsideration and allowance of claims 1-26 are respectfully requested.

CONCLUSION

Prompt and favorable consideration of this Reply is respectfully requested. All of the stated grounds of rejection have been properly traversed, accommodated, and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number listed below.

Applicants also request that the Examiner provide Applicants with an indication of his favorable receipt of Applicants' position stated above.

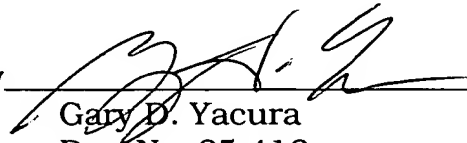
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit

Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

HARNESS, DICKEY & PIERCE, PLC

By



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